



**MICHELLE LUJÁN GRISHAM**  
GOVERNOR

## New Mexico Land Grant Council

Physical Address: 1828 Mesa Vista NE, Albuquerque, NM 87106  
Mailing Address: 1 University of New Mexico MSC02-1680, Albuquerque, NM 87131  
Email: [nmlandgrantcouncil@unm.edu](mailto:nmlandgrantcouncil@unm.edu) ♦ Website: [www.lgc.unm.edu](http://www.lgc.unm.edu)

**JUAN SÁNCHEZ**  
CHAIR

**REBECCA CORREA-SKARTWED**  
VICE-CHAIR

**LEONARD T. MARTÍNEZ**  
MEMBER

**ANDREA C. PADILLA**  
MEMBER

**STEVE J. POLACO**  
MEMBER

April 16, 2020

Congressman Raúl Grijalva  
Chair  
United States House of Representatives  
Committee on Natural Resources  
1511 Longworth House Office Building  
Washington, DC 20515

Congressman Rob Bishop  
Ranking Member  
United States House of Representatives  
Committee on Natural Resources  
123 Cannon House Office Building  
Washington, DC 20515

Dear Mr. Chairman Grijalva and Congressman Bishop, Ranking Member,  
House Committee on Natural Resources:

The New Mexico Land Grant Council is submitting this letter in support of House Resolution (H.R.) 3682, the Land Grant and Acequia Traditional Use Recognition and Consultation Act. The Land Grant Council is a state agency tasked with providing a program of support land grants-mercedes in New Mexico. Part of the Land Grant Council's statutory mission includes development and promotion of federal legislation for an appropriate congressional response to longstanding community land grant claims in New Mexico. In fulfilling this purpose, the Council over the past decade has been working with the entire New Mexico Congressional Delegation to develop federal legislation relating to land grants-mercedes. Spanish and Mexican land grants-mercedes are centuries-old communities in New Mexico that were recognized and established through a grant of land made by the Spanish Crown or the government of the Republic of Mexico between 1690 and 1850. These grants were to communities whose populations were comprised of both Hispanic and Native American inhabitants. They included thousands of acres of surrounding common lands that were to be utilized by local residents for sustaining themselves. Therefore, the natural resources found on the common lands, such as pasture for livestock, wood for fuel and construction material, and vegetation for medicinal purposes and nourishment have played an integral role the development of land grant-merced communities since their inception. Utilization of the common lands for traditional uses are cultural practices that still continue to this day and are part of very fabric of *nuevomexicano* identity.

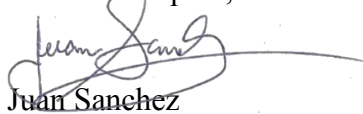
For many land grants-mercedes, the common lands were lost to the United States during the failed adjudication process set up for clearing Spanish and Mexican land titles in the Southwest, which was required by the Treaty of Guadalupe Hidalgo that ended the Mexican American War. Much of what was not lost directly to the United States public domain was taken by unethical attorneys during the adjudication process, where land grants presented their claim before the U.S. Surveyor General and the Court of Private Land Claims. Other land grants-mercedes lost portions of their grant through court decisions that misinterpreted the Treaty and Spanish

and Mexican law under which these lands were granted. Lands lost by these court decisions became part of the public domain and portions were included in federal forest reserves. The U.S. Forest Service expanded these reserves by purchasing stolen land grant common land from land speculators and corporations and continued restricting local community access. Though many of these purchases were done during the New Deal to ensure land grant-merced communities had access to these lands, the Forest Service and Bureau of Land Management again limited access when federal programs that funded these projects ended. Many of those land grants-mercedes that retained their common lands through the adjudication process are now bordered by federally managed public lands and are thus affected by the management decisions of the U.S. Forest Service and Bureau of Land Management. This is especially true when it comes to the catastrophic wildfires and bug infestations that do not respect fenced boundaries and wreak havoc on land grant-merced resources.

The New Mexico Land Grant Council, in conjunction with land grant-merced and acequia leaders, has worked for over 5 years with Congressman Ben R. Luján on the development of this piece of legislation. This Act represents a concerted effort to finally begin to address the longstanding and historic injustices that have plagued land grant-merced communities for nearly 175 years. H.R. 3682 is intended to provide for the recognition of traditional uses on federally managed lands by land grant-merced communities and to provide for greater consultation between federal land management agencies and land grant-merced and acequia governing bodies. Both land grant-mercedes and acequias are recognized in New Mexico statutes as political subdivisions of the State of New Mexico and are therefore considered local units of government. The Act would also require federal land management agencies to issue guidance on how land grant-merced communities can access and use natural resources for traditional use purposes on lands now managed as federal lands that are located within their patented and/or historical-traditional use boundaries. This will provide for the management of those areas in a manner that is consistent with the protection traditional uses and their related natural resources. Along those lines, the Act would also require federal land management agencies to consult with land grant-merced and acequia governing bodies whenever there are any proposed actions on covered lands that require a National Environmental Policy Act (NEPA) review to ensure there are no adverse impacts on traditional uses or associated natural resources.

H.R. 3682 is an important piece of legislation that will ensure that our land grant-merced communities will retain access to the public lands that surround them. Ensuring access and consultation on these lands is important to not only maintaining the cultural identity of these communities but also to providing much needed resources, such as fuelwood, to economically disadvantaged communities that still rely on these resources for their very survival. We ask that the House Natural Resources Committee support H.R. 3682 and offer our assistance to help its passage.

Con todo respeto,



Juan Sanchez  
Chairman

CC:

Congressman Ben R. Luján, New Mexico, 3rd District  
Congresswoman Debra Haaland, New Mexico, 1st District



New Mexico Land Grant-Merced Consejo  
P.O. Box 51865  
Albuquerque, NM 87181

Mercedes April 30, 2020

United States House of Representatives  
Committee on Natural Resources  
1324 Longworth House Office Building  
Washington, DC 20515

Dear Mr. Chairman Grijalva and Congressman Bishop, Ranking Member,  
House Committee on Natural Resources:

The New Mexico Land Grant-Merced Consejo offers this letter in support of H.R. 3682, the **Land Grant and Acequia Traditional Use Recognition and Consultation Act**. The New Mexico Land Grant Consejo is a statewide, grassroots land grant organization with a membership of more than two dozen Spanish and Mexican community land grants-mercedes. Since its founding in 2006, the Consejo has promoted land grant-merced interests at both the state and federal level, advocating for legislative and administrative policies that address the past injustices that land grants-mercedes has experienced. Land grants-mercedes were granted by the Spanish Crown and Mexican Republic and represent the oldest non-Native American permanent settlements in North America, and many land grants were settled by *genízaro* (detribalized Native American) and *mestizo* (mixed race) populations. As community land grants-mercedes, they were granted the thousands of acres that included common lands with vast natural resources used to sustain these communities and their residents. These lands were used for fuelwood and timber to heat and build their homes, to pasture livestock, included water resources they developed to irrigate their crops, as well as flora and fauna for medicinal purposes and nourishment.

Many land grants lost their common lands to the United States through a corrupt adjudication process that aimed to clear title to Spanish and Mexican grant lands. This necessary process was required by the Articles 8 and 10 of the Treaty of Guadalupe Hidalgo of 1848, but did not protect the title and property rights of these communities as it was supposed to do. The process was ripe for speculation, failing to protect from the designs of land speculators, unethical attorneys and corrupt federal and territorial officials when these claims were heard by the Office of the Surveyor General for New Mexico and the Court of Private Land Claims. The Surveyor General and the Court failed to properly consider Spanish and Mexican law in their decisions and common lands of community land grants became part of the public domain, including portions that were included in newly established federal forest reserves. The U.S. Forest Service expanded these reserves by purchasing stolen land grant common land from land speculators and corporations and continued restricting local community access. Many of these lands were purchased in the 1930s through New Deal Programs like the Farm Security Administration and the Soil Conservation Service, which aimed to restore access to

Abiquiú  
Anton Chico  
Arroyo Hondo Arriba  
Atrisco  
Cañón de Carnué  
Cebolleta  
Chih'ene Nde Nation  
Chilili  
Cristobal de La Serna  
Cubero  
Don Fernando de Taos  
Juan Bautista Baldez  
Las Vegas  
Plaza de Guadalupe  
Nuestra Señora del Rosario  
San Fernando y Santiago  
(Truchas)  
San Antonio de  
Las Huertas  
San Antonio del  
Río Colorado  
San Joaquín del  
Río de Chama  
San Miguel del Bado  
Sangre de Cristo Land  
Rights Council  
Santa Bárbara  
Santa Cruz de  
la Cañada  
Santo Tomás Apóstol  
del Río de Trampas  
La Joya de Sevilleta  
Tajique  
Tecolote  
Tierra Amarilla  
Torreón  
Town of Tomé



these land dependent communities. When projects were discontinued, the lands were transferred to the Forest Service and Bureau of Land Management and they again limited access, leading to continued poverty and even the depopulation of many of these land grant-merced communities.

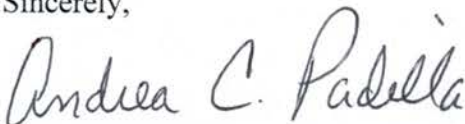
This legislation is also important to land grants-mercedes that retained their common lands through the adjudication process but are bordered by federal lands. Catastrophic wildfires, bug infestations and land management practices of the Bureau of Land Management and U.S. Forest Service continue to affect these grants as devastation does not respect boundaries marked by a fenceline. For our communities, H.R. 3682 will finally begin to address the injustices that have plagued land grant-merced communities for more than one and a half centuries.

H.R. 3682 is intended to provide for the recognition of traditional uses on federally managed lands by land grant-merced communities and to provide for greater consultation between federal land management agencies and land grant-merced and acequia governing bodies. Because the Act would require federal land management agencies to issue guidance on how land grant-merced communities can access and use natural resources for traditional use purposes on lands now managed as federal lands, which are located within their patented and/or historical-traditional use boundaries, it will provide for the management of those areas in a manner that is consistent with the protection of natural resources that are traditionally used by our communities. Additionally, as federal land management agencies would be obliged to consult with land grant-merced and acequia governing bodies, our communities will be informed whenever any proposed action on these lands requires a National Environmental Policy Act (NEPA) review.

The Consejo supports House Resolution 3682. Our organization feels that this is an important piece of legislation that ensures access to public lands for our land grant-merced communities. Additionally, many land grant-mercedes are organized and recognized as political sub-divisions of the State of New Mexico. With acequias, land grants-mercedes represent the oldest democratically elected institutions in the United States. HR 3682 supports local economies that rely on the access to these resources and ensures that the cultural practices that maintain our unique, *nuevomexicano* cultural identity continue.

We ask that the House Natural Resources Committee support H.R. 3682.

Sincerely,

A handwritten signature in dark ink, reading "Andrea C. Padilla". The signature is fluid and cursive, with the first letters of each name being capitalized and prominent.

Andrea Padilla  
President



April 21, 2020

Congressman Raúl Grijalva  
Chair  
United States House of Representatives  
Committee on Natural Resources

Congressman Rob Bishop  
Ranking Member  
United States House of Representatives  
Committee on Natural Resources

**Re: Support for H.R.3682, Land Grant and Acequia Traditional Use Recognition and Consultation Act**

Dear Mr. Chairman and Representative Bishop, Ranking Member,  
House Committee on Natural Resources:

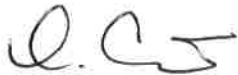
The *Merced del Pueblo de Abiquiú* (Abiquiú Land Grant) is writing this letter in support of the passage of **H.R. 3682, the Land Grant and Acequia Traditional Use Recognition and Consultation Act**, introduced by our Congressman, Ben Ray Luján of New Mexico's 3<sup>rd</sup> Congressional District. The Merced del Pueblo de Abiquiú was officially granted under the Spanish Crown in 1754 as a *genízaro* settlement (*genízaros* were detribalized, Hispanicized Native Americans). We received our patent from the United States in 1909. Our land grant has been fortunate to retain the majority of the common lands received in our patent approximately 16,000 acres. This bill is very important nonetheless, as we are surrounded by U.S. Forest Service managed lands and share many miles of common boundaries. The point of diversion for our community livestock water system is on the Santa Fe National Forest and the watershed for the Rio Vallecitos, which feeds our *acequias* (community ditches) is within the Santa Fe National Forest as well.

Our grant has worked to build collaborative and cooperative relationship with the U.S. Forest Service since the early 1960s, when we granted a right of way through our grant to help the Forest Service and the general public access forest system lands. Unfortunately, when nearby Forest Service roads were closed, members of the public used our land grant roads to access our common lands, where they illegally cut trees and poached game on our lands. We ultimately decided to close the gate seasonally to prevent further damage to our lands, but initially faced opposition from the Forest Service. It has taken several years for us to resolve the issue which has fortunately resulted in cooperation between our land grant and the Santa Fe National Forest for joint seasonal closures of our shared road.

Although the present outcome is favorable without legislation should as H.R. 3682 there is no guarantee that future Forest Supervisors will continue this cooperation which has been years in the making.

We believe that **H.R. 3682** will ensure that the Santa Fe National Forest remains responsive to the needs of our community. Not only will it help protect our access to natural resources, such as the water that our community relies on, but it will also ensure that the Forest Service consults with us with regard to management of the federal lands that are across the fence from us. This is important since things like catastrophic wildfires and bug infestations do not respect boundary lines drawn on a map or separated by a barbed wire fence. The consultation aspects of this bill will not only go a long way in encouraging positive relationships between federal agencies and land grants-mercedes, but will also ensure that these relationships last beyond the goodwill of one ranger or forest supervisor. The Merced del Pueblo Abiquiú gives our full support to this bill and ask that you do everything in your power to ensure that it is passed.

Sincerely,

A handwritten signature in dark ink, appearing to read 'D. Archuleta', with a stylized flourish at the end.

David Archuleta  
President  
Merced del Pueblo Abiquiú  
PO Box 179  
Abiquiú, NM 87510  
(505) 670-7795



# LA MERCED DE ANTON CHICO

April 7, 2020

United States House of Representatives  
Committee on Natural Resources  
1324 Longworth House Office Building  
Washington, DC 20515

Dear Chairman Raúl Grijalva:

The Anton Chico Land Grant is writing you this letter in support of House Resolution 3682, the Land Grant and Acequia Traditional Use Recognition and Consultation Act. This Act when passed will provide the Anton Chico Land Grant guaranteed access and use of 15,000 acres of our former common lands now under the management and control of the Santa Fe National Forest. Further, it will ensure that our land grant board of trustees is consulted when the Santa Fe National Forest is making management decisions concerning those lands.

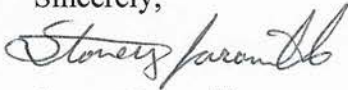
The Anton Chico Land Grant was established in 1822 by the Mexican Government as a community land grant and originally encompassed over 375,000 acres of common lands. The land grant was confirmed to the Town of Anton Chico in its entirety by Congress in 1860. However, Congress also approved a junior overlapping individual claim by Preston Beck Jr. which resulted in the almost immediate loss of 120,000 acres of land. The Anton Chico land grant challenged the validity of the overlap since the Anton Chico Grant was older. While the Anton Chico Grant was initially successful in the New Mexico Territorial Courts, the decision was appealed to the New Mexico Supreme Court and the Court ruled that since the Presto Beck Jr. Grant received a patent from the United States sooner, it was the senior grant even though the original title under Mexico was junior. The Anton Chico Land Grant lost an additional 135,000 acres of land due to the corrupt dealings of the U.S. Surveyor General charged with surveying the land grant as approved by Congress. Due to his direct attempts to steal the land grant from the community the land grant was forced to give away 35,000 acres of land in a lawsuit and pay an additional 100,000 acres in land as the fee to the attorneys litigating the case.

In the 1930's the Anton Chico Land Grant was on the verge of losing some of its common lands to the State of New Mexico for delinquent property taxes. The common lands of these land rich, cash poor land grant-merced communities were not subject to property taxes under Spain or Mexico. Approximately 15,000 acres of the common land were purchased through New Deal Programs for conservation and use by the local community. The lands were managed by the Soil Conservation Service (later renamed Natural Resource Conservation Service). When funding for these programs went away the land was transferred to the U.S. Forest Service via Public Law 419 in 1953. The Congressional Record shows that these lands were to continue to be managed for the use by the local community under the U.S. Forest Service. This requirement has long

been forgotten and as the years have progressed. The U.S. Forest Service, influenced by national trends, moved to management of the land for other priorities and has abandoned management and even consultation with the local community for local traditional use of the land.

In closing the Anton Chico Land Grant asks for the full support of the House Natural Resources Committee to pass H.R. 3682.

Sincerely,

A handwritten signature in cursive script, appearing to read "Stoney Jaramillo".

Stoney Jaramillo  
President

CC:

Congressman Ben Ray Luján, NM, 3rd Congressional District  
Congresswoman Debra Haalan, NM, 1<sup>st</sup> Congressional District



**ARROYO HONDO COMMUNITY LAND GRANT ASSOCIATION  
C/O DAVID F. ARGUELLO, PRESIDENT  
P.O. BOX 277 ARROYO SECO, NM 87514**

April 13, 2020

United States House of Representatives  
Committee on Natural Resources  
1324 Longworth House Office Building  
Washington, DC 20515

Congressman Raúl Grijalva, Chair

**Re: Support for H.R.3682, Land Grant and Acequia Traditional Use Recognition and Consultation Act**

Honorable Raúl Grijalva, Chair  
House Committee on Natural Resources:

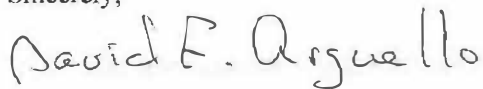
The Arroyo Hondo Arriba Land Grant writes this letter to support **H.R. 3682, the Land Grant and Acequia Traditional Use Recognition and Consultation Act**, introduced by New Mexico Congressman Ben Ray Luján. The Arroyo Hondo Grant was a community land grant made by the Governor Albert Máñez on April 2, 1815. In May 27<sup>th</sup> of 1823, the upper village separated into a independent grant and our ancestors were put in possession of our grant by the local *alcalde* by order of Governor Don Juan Antonio Viscarra. Our grant was approximately 4 square miles and has been reduced to one third of this over time. To the north, west and east, our land grant is surrounded by U.S. Forest Service managed lands that are part of the Carson National Forest. The forest lands that border nearly our entire eastern boundary were included in the Columbine-Hondo Wilderness (created in 2014), effectively restricting our ability to access to these lands for our traditional uses like wood gathering. This Wilderness designation also makes management of these lands more difficult for the Carson National Forest and increases the likelihood for a catastrophic wildfire, threatening the homes and properties of our community, a community that predates not only the Wilderness designation (2014) and the creation of the Carson National Forest (1908), but also the U.S. Forest Service (1905) and the even the Forest Reserve Act of 1891 that created forest reserves.

The Arroyo Hondo Arriba Land Grant has nonetheless worked to build cooperative relationships with the U.S. Forest Service. We recently collaborated with the Carson National Forest and local villages of San Cristóbal and Gallina Canyon to harvest 300 acres of wood over 3-year thinning project. This "Cerro Negro Project" adopted governance structures from the local acequia and land grant-merced organizational and cultural-historical procedures, forming a six-member commission and appointing a *mayordomo* (an administrator, or steward) to oversee the work. Projects like the Cerro Negro Project make locally available important natural resources that our communities depend on. This supports local wood haulers (*leñeros*) that sell firewood for a living and makes this product affordable for local households that depend on wood as a heating source

for warming homes and cooking meals. **H.R. 3682** offers the opportunity to extend and expand projects like the Cerro Negro across northern New Mexico. It can ensure that our continued access and use of the land will be part of the Carson National Forest's management objectives for the area long term. Further, the inclusion of our concerns through consultation will ensure that the positive relationships that we've built with current Forest Service staff and will continue under future U.S.F.S. leadership.

The Arroyo Hondo Arriba Land Grant respectfully requests both your support and the support of the House Committee on Natural Resources for H.R. 3682.

Sincerely,



David F. Argüello  
President Arroyo Hondo Arriba Land Grant  
(505) 776-2752  
E-mail: drsarguello@q.com

CC:

Congressman Ben Ray Luján, New Mexico, 3<sup>rd</sup> Dist.  
Congresswoman Deb Haaland, New Mexico, 1<sup>st</sup> Dist.



April 6, 2020

United States House of Representatives  
Committee on Natural Resources  
1324 Longworth House Office Building  
Washington, DC 20515

Dear Chairman, Raúl Grijalva:

The Cañon de Carnué Land Grant is writing you this letter in support of House Resolution 3682 the Land Grant and Acequia Traditional Use Recognition and Consultation Act. H.R. 3682 is a long overdue piece of legislation aimed at addressing an injustice against our community that spans over 12 decades. The settlement of Cañon de Carnué dates back to 1763 with the title to our approximately 40,000 acres of land being perfected by the Spanish Crown in 1819 through the validation of a land grant-merced to the community of Carnuel. Our community land grant was granted by Spain prior to Mexican Independence from Spain and the Mexican Government recognized our valid title to our lands. Nevertheless, even though our community received valid title to our communal lands 29 years prior to the end of the Mexican American War, in 1897 the United States Government stripped us of approximately 38,000 acres of our common lands. This action had devastating consequences for our community. Nearly all of those former common lands are now under the management and control of the United States Forest Service. Large portions of Cibola National Forest's Sandia Ranger District have been carved out of the Cañon de Carnué, San Pedro and San Antonio de Las Huertas Land Grants.

In the 1930's the Forest Service began to restrict our community's access to our former common lands for livestock grazing. Although the Forest Service initially recognized our communal grazing rights, by the 1950's they were stripped away completely. All the former grazing allotments for the communities within the Cañon de Carnué Land Grant were combined into one allotment in that 1972. This larger combined allotment has never been reopened to allow for communal grazing again. In fact, grazing opportunities for some of our former common lands have been forever barred from renewed grazing opportunities due to the designation of the Sandia Wilderness in the 1980's. Although, the Wilderness Act does allow for grazing activities to be grandfathered in, those grazing activities must be present at the time the Wilderness is designated by Congress. The Cibola National Forest restricted the centuries old grazing practices of our land grant communities in the decades before the Wilderness designation thereby restricting our people's access to the land for livestock grazing forever. This perfect scenario, where grazing was forever lost by our community, was by no means accidental. Rather, it points to how U.S. Forest Service management practices have served as a means of social engineering our land-based communities. This designs of U.S.F.S. officials was expressed clearly by the Cibola National Forest in language from their 1949 decision to close the Carnuel Grazing Allotment, which stated:



“The allotment should not be used by livestock and it is recommended that we so notify paid permittees, allowing two grazing seasons in which to dispose of their stock. They being close to the unlimited labor market in Albuquerque can better do without this grazing livestock...”

This language is a clear reflection of the agency’s belief that our communities were better suited to become wage earners rather than self-sufficient farmers and ranchers. Although livestock grazing as a sole means for survival has become less likely in modern times, the sentiment expressed by the agency neglected to account for the socio-economic benefit livestock grazing has for providing a protein source for families as well as in maintaining the cultural integrity of land-based communities. H.R. 3682 will provide our land grant community an opportunity to have our traditional access rights to our former common lands properly recognized by the U.S. Forest Service. This will give us leverage to work with the agency to regain some of the uses like communal grazing that has been taken from our families. H.R. 3682 will also ensure that the U.S. Forest Service includes the needs of our communities in their management plans and that they consult with us in the development and implementation of projects on the lands surrounding our villages and homes.

For all the reasons stated above the Cañón de Carnué Land Grant is in full support of H.R. 3682 and we respectfully ask your support in ensure its passage by your committee, the House Committee on Natural Resources, and on floor of the U.S. House of Representatives.

Sincerely,

A handwritten signature in black ink, appearing to read 'MG' or similar initials, with a stylized flourish at the end.

Moises Gonzales  
President  
(505) 269-1695

CC: Congressman Ben Ray Luján, NM, 3rd Congressional District  
Congresswoman Debra Haaland, NM, 1<sup>st</sup> Congressional District



**La Merced del Pueblo de Chililí**

14 Old Chililí Road, Chililí, NM 87059  
(505) 286-8202

Juan Sánchez, President  
Antonio Maestas, Secretary  
Jesús Ortiz, Treasurer  
Andrew Gutiérrez, Trustee  
Raymundo Ortiz, Trustee

April 3, 2020

United States House of Representatives  
Committee on Natural Resources  
1324 Longworth House Office Building  
Washington, DC 20515

Dear Chairman Raúl Grijalva:

La Merced del Pueblo de Chililí/Land Grant, is writing this letter to ask for your support of the **Land Grant and Acequia Traditional Use Recognition and Consultation Act, H.R. 3682**, introduced by Congressman Ben Ray Luján (NM-03). H.R. 3682 will ensure that the Chililí Land Grant Board of Trustees will always be consulted about management decisions on the Cibola National Forest that may affect our adjacent common lands. The Chililí Land Grant which has been in existence since 1841 and shares several miles of border with the Cibola National Forest. As an adjoining property owner it is important that our land grant maintain a working relationship with the agency. Our land grant community continues to utilize livestock grazing as both an income and a food source for community members. Therefore, maintenance of our shared fence is important to ensure our cattle remain on our side of the fence. In addition, collective management of the region to reduce the risk of catastrophic wildfire is critical for our community. Over the past decade our land grant has worked on forest restoration projects on our common lands and have treated over 600 acres of land to reduce fire risk. Unfortunately, in 2016 a spark generated during a mastication project on the Cibola National Forest resulted in the catastrophic Doghead Fire. While this wildfire originated on Forest Service lands it jumped the fence and within a matter of few days it burned over 10,000 acres of forested lands within our exterior boundaries and came within feet of burning our community. This lesson taught us the importance of maintaining our right to sit at the table when management decisions are being determined for Forest Service lands adjacent to us.

In addition, this bill will help protect the rights of land grant-merced communities across Central and Northern New Mexico to access traditional uses and natural resources on National Forest System lands that are within their historical use areas. This is imperative to maintaining the cultural integrity of these unique centuries old land-based communities in New Mexico. Based on all of this the Board of Trustees of the Chililí Land Grant proudly offers our support and endorsement of H.R. 3682. We humbly ask that you do everything in your power to support the passage of this bill through your Committee and through the U.S. House of Representatives.

Con Todo Respeto,



Juan Sánchez

President

(505) 249-6759

CC: Congressman Ben Ray Luján, NM, 3rd Congressional District  
Congresswoman Debra Haaland, NM, 1<sup>st</sup> Congressional District



April 9, 2020

United States House of Representatives  
Committee on Natural Resources  
1324 Longworth House Office Building  
Washington, DC 20515

Subject: Encouraging the passage of **H.R.3682, Land Grant and Acequia Traditional Use Recognition and Consultation Act**

Honorable Chairman, Congressman Raúl Grijalva:

The Don Fernando de Taos Land Grant offers this letter of support for **House Resolution 3682, the *Land Grant and Acequia Traditional Use Recognition and Consultation Act***. Since our community grant was granted in 1796, our people have been dependent on the forests that surround us to provide resources that sustain us, this includes everything from fuelwood to building materials to medicinal herbs, food and water. When Spanish Governor Fernando Chacón granted our ancestors the Don Fernando de Taos Grant, he was mindful to include a diversity of resources like waterways, forested lands, and pasturelands with which our community could sustain itself, and our population grew throughout the Spanish and Mexican eras. After Treaty of Guadalupe Hidalgo was signed (February 2<sup>nd</sup>, 1848), our ancestors submitted a petition to the Office of the U.S. Surveyor General, seeking the confirmation of our grant. While Surveyor General Henry Atkinson recommended the confirmation of our grant, his office erred in its 1883 survey, which claimed our grant only 1,899 acres, which embraced only the homesites and fields immediately adjacent to our villages and excluded the forested lands that were a part of our grant. This survey shrunk the size of our grant from over 31,000 acres to 2,000 acres.

Congress failed to act on Atkinson's recommendation and in February of 1893, our community brought our claim in front of the Court of Private Land Claims for confirmation. This Court was created to stop the corruption that was common in the confirmation process under the U.S. Surveyor General, but in doing so, adopted a rigid standard for confirmation that doomed our grant. In 1897, citing the U.S. Supreme Court decision in the *U.S. v. Sandoval* case of 1897, the federal government and the Court held that the confirmed lands should be limited to the lands allotted to individuals soon after granting and that our eastern boundary was the western end of the Cañón del Río de Fernando de Taos rather than the eastern end of the Cañón. Like the 1883 survey, this limited our grant to less than two thousand acres. Despite our protests, the Court's decision limited our grant to 1,817 acres, which included only our homesites, gardens and those



common lands immediately adjacent to our communities. The balance of over 29,000 acres of our land grant common land remained in the public domain, 26,000 acres of which were gradually incorporated into Carson National Forest. This amounts to *more than 83%* of our land grant. For decades, our people retained use of the lands through grazing permits for the Cañón del Río de Fernando de Taos and this grazing helped to thin the forest and reduce the fuel load, reducing the possibility of catastrophic wildfires. Since the 1940s, the Carson has reduced the number of paid permits by half, stopped issuing all free use permits altogether, and grazing in the Cañón del Río de Fernando de Taos has all but stopped.

**H.R. 3682** will ensure that the Carson National Forest remains responsive to the needs of our communities. Our people still rely on traditional resources from our former common lands, including fuelwood, building materials like *vigas* (beams) and *latillas* (small poles used as lath between *vigas*) and medicinal herbs that are both medically and culturally important. This bill will help us access natural resources that our community relies on and will also ensure that the Forest Service consults with us regarding the management of the federal lands that surround us, which is important in building positive and collaborative relationships between federal agencies and land grants-mercedes like ours. The Don Fernando de Taos Land Grant offers our support of this bill and asks that your committee supports the bills passage through the U.S. House of Representatives.

Respectfully,

A handwritten signature in dark ink, appearing to read "Frank Trujillo", written in a cursive style.

Frank Trujillo, President  
Don Fernando de Taos Land Grant  
HC 68 Box 107  
Ranchitos Rt  
Taos, New Mexico 87571  
(505) 751-3228

CC:

Congressman Ben Ray Luján, New Mexico, 3<sup>rd</sup> District  
Congresswoman Deb Haaland, New Mexico, 1<sup>st</sup> District



April 24, 2020

Congressman Raúl Grijalva  
Chair  
United States House of Representatives  
Committee on Natural Resources

**Re: Support for H.R.3682, Land Grant and Acequia Traditional Use Recognition and Consultation Act**

To the Honorable Chairman, House Committee on Natural Resources:

The Juan Bautista Baldés Land Grant is writing this letter in support of the passage of **H.R. 3682, the Land Grant and Acequia Traditional Use Recognition and Consultation Act**, introduced by New Mexico Congressman Ben Ray Luján. Like many other land grants in New Mexico, our land grant is surrounded by national forest lands which we have historically depended on for natural resources. Much of the forest land that surrounds our land grant was part of the *ejido*, or common lands, of our land grant. Our ancestors used this *ejido* to gather lumber to build their homes and fuelwood to heat them. These common lands provided pasture to graze their livestock and game to hunt and feed their families. Though we've lost our access to these common lands, our dependence on the forest for lumber, fuelwood, grazing and hunting continues to this day.

Granted in 1807, our land grant and our community of Cañones, New Mexico is over two centuries old. For the first half-century of our community's existence, we were free to access the vast common lands that surrounded our community, which included thousands of acres of forested lands. Located in a small microbasin, with limited arable land, our community of farmers was dependent on this access to pasture our sheep and cattle, and to hunt for deer small game like rabbits, turkeys and grouse. We also cut lumber for *vigas* and *latillas* (beams and lath) to build our houses and cut firewood, all the while maintaining the watershed for the Cañones and Chihuahueros Creeks by thinning the forest and allowing these rivers to flow.

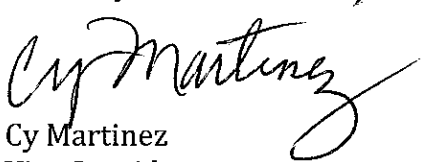
In 1871 and again in 1878, our ancestors petitioned the U.S. Surveyor General for the confirmation of our community grant. That office erred, first in recommending that our grant be confirmed for only the lands within the Cañón de los Pedernales, second, in misconstruing our community grant as a private one and finally, by denying the very legitimacy of our land grant. This ignored instructions given to the Surveyor General to treat the existence of a town or community as *prima facie* evidence of a grant. When our grant was petitioned to the Court of Private Land Claims, the unwarranted doubt cast by the U.S. Surveyor General's office significantly affected our chances of receiving confirmation of our lands. In 1898, the Court confirmed our grant but limited it to only

1,468.57 acres in the Cañón de los Pedernales, depriving our community of a balance of more than 70,000 acres of common lands, the vast majority of which were incorporated into the Santa Fe National Forest.

In the century since our land grant was reduced, heirs of the Juan Bautista Baldés Land Grant living in the community of Cañones have eked out an often-meager existence. Deprived of access to the natural resources that surround our grant, from the fuelwood to the grazing lands that surround our community, our people have increasingly turned to wage labor. **H.R. 3682** will ensure that the Santa Fe National Forest is responsive to the needs of our community. Access to fuelwood is both economically and culturally important, as most of our heirs depend on fuelwood to heat their homes, but the practice of gathering fuelwood is an important rite of passage for our people. Maintaining our watershed, which lies within the Santa Fe National Forest, is paramount for Cañones and provisions within this legislation will guarantee that we have a voice at the table when decisions effecting the water which we depend on are being made.

The Juan Bautista Baldés Land Grant hereby offers our support for the **Land Grant and Acequia Traditional Use Recognition and Consultation Act** and asks that you and your committee pass this important legislation to the floor of the House of Representatives.

Sincerely,



Cy Martinez  
Vice-President

**Juan Bautista Baldes Land Grant**  
**Box 11**  
**Cañones, NM 87516**



**La Merced De Cristobal De La Serna  
78 E. Camino Abajo La Loma  
Ranchos De Taos, NM 87557**

**Members of the Board:**

Beverly J. Armijo-President  
David Romero-Vice President  
Florencio Mondragon-Treasurer  
Ricardo Romero- Secretary  
Ernest Romero - Trustee

**Spokesman:**

Francisco El Comanche Gonzales- Spokesman

April 3, 2020

United States House of Representatives  
Committee on Natural Resources  
Congressman Raúl Grijalva, Chair  
Congressman Rob Bishop, Ranking Member

**Re: Support for H.R.3682, Land Grant and Acequia Traditional Use Recognition and Consultation Act**

Dear Mr. Chairman and Representative Bishop, Ranking Member,  
House Committee on Natural Resources:

The Cristóbal de la Serna Land Grant is writing this letter in support of the passage of **H.R. 3682**, the **Land Grant and Acequia Traditional Use Recognition and Consultation Act**, introduced by Congressman Ben Ray Luján. We feel that this is an important piece of legislation that will protect our communities' access to the forest service lands that surround us. The Cristóbal de La Serna Land Grant was established in what is now Taos County, New Mexico in 1710. Although originally granted to an individual grant to Cristóbal de La Serna, under Spanish Law in effect at the time, even land grants to individuals required the establishment of community settlements. Like all land grants, the grant contained not only small private parcels of land for individual families to build homes and plan small gardens but also vast surrounding common lands accessible to all of the community for grazing livestock and gathering of essential natural resources such as timber and fuelwood.

By the time of the signing of the Treaty of Guadalupe Hidalgo in 1848, the communities of Ranchos de Taos, Talpa and Llano Quemado were all well-established on the Grant. When our ancestors petitioned the Surveyor General of New Mexico in 1876, the Grant's population was more than 1,500 residents representing 300 families. Though two Surveyors General recommended to Congress that the grant be confirmed, Congress failed to act on the recommendation, and our community filed suit with the Court of Private Land Claims (CLPC) seeking recognition of our land grant. The CLPC determined the grant to be valid and confirmed the land grant in 1892 but as a private & not a community grant. The survey and patent for the land grant was not issued until 1903 for 22,232.57 acres of land.

After the patent was issued the State of New Mexico moved to institute taxation of the common lands of the grant. A taxation scheme was created to spread the tax burden among all the individual families within the land grant. Taos County devised a plan to assign individual parcels of land to the 302 descendants and assigns of the 302 individuals listed on the U.S. patent. The result was map that depicted long narrow linear tracts that stretched for miles from the river on the north end of the grant to the crest of Picuris Peak on the south. Land speculators not part of the community used these tax assessment parcels to file quiet title suits to gain control of thousands of acres of our common lands. The community did its best to fight off these attacks on the common lands but after decades in the courts they could no longer afford the legal expenses associated with the defense of the land.

Despite the devious practices of private interests, the community never stopped utilizing the common lands for grazing its livestock and harvest needed natural resources. In recent years the descendants of one of these unscrupulous land thieves attempted to create a high-end housing development on the former common lands of the land grant, forcing the community to come out in protest. Public dissent against the development eventually lead to Congressional intervention, whereby the U.S. Forest Service in 2016, through Land and Water Conservation Fund funding, came to acquire approximately 5,000 acres of our common lands known as the Miranda Canyon Purchase.

The Cristóbal de La Serna Land Grant has since engaged the Carson National Forest and implored them to allow for the continued traditional use of the land by the community, which in practice has never ceased to exist since the land was originally granted in 1710. While the Carson National Forest has committed to including our land grant in the dialogue for plan management, they have not committed to ensure our continued, unabated use of the land.

As National Forest System Lands, we fear that, as many other land grants have experienced, national interests will once again prevail over local community needs. **H.R. 3682** offers the federal recognition of our historic and traditional uses on these lost common lands now under federal control. If passed this bill will ensure that our continued access and use of the land is part of the management of these lands by the Carson National Forest. It will further ensure that the Carson National Forest will in perpetuity, regardless of changes in administration, consult with our land grant on the management of our former common lands.

The Cristóbal de La Serna Land Grant requests your support and the support of the House Committee on Natural Resources for H.R. 3682.

Sincerely,

*Beverly J. Armijo*

President

Cristóbal de la Serna Land Grant

78 E Camino Abajo De la Loma

Ranchos de Taos, New Mexico 87557

(575) 425-1100

CC:

Congressman Ben Ray Luján, New Mexico, 3<sup>rd</sup> Dist.

Congresswoman Deb Haaland, New Mexico, 1<sup>st</sup> Dist.



**Jason Quintana, President**  
**Angela Nuñez, Secretary**  
**Anna Marie Nuñez, Treasurer**  
**Patrick Luna**  
**Gerald Chávez**

April 2, 2020

United States House of Representatives  
Committee on Natural Resources  
1324 Longworth House Office Building  
Washington, DC 20515

Dear Chairman Raúl Grijalva:

La Merced del Manzano (The Manzano Land Grant) is writing this letter in support of the passage of H.R. 3682, the Land Grant and Acequia Traditional Use Recognition and Consultation Act introduced by Rep. Ben Ray Luján (NM-03). H.R. 3682 will provide for the recognition and protection of our traditional uses and access to natural resources on Cibola National Forest lands adjacent to our communities of Manzano and Punta de Agua. It will also guarantee that we will always have a voice in management decisions affecting these areas that have a long history of use by our people. The settlement of our communities began in the early

1800's and on December 24, 1829 Mexico issued a formal grant of land to 173 families. Since the time that our earliest ancestors began living in the region our families have relied on the natural resources from the Manzano Mountains for our survival. Our homes have been constructed from rock, soil and timber pulled from the mountain. We heat our homes in the winter with locally gathered fuelwood. We also harvest herbs, piñón nuts and sap from our local forests. Historically we grazed our livestock, including sheep and goats on the what is now Forest Service managed lands.

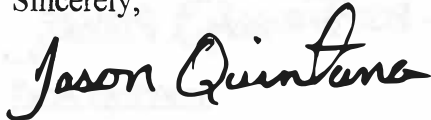
After the establishment of the U.S. Forest Service and the Cibola National Forest our lives and livelihoods have been affected over the years as management policies and objectives of the agency have increasingly restricted our access to our historical-traditional use areas. This has included restricting livestock grazing for the grazing allotment adjacent to our land grant's patented boundaries and limiting our ability to access fuelwood. In 2007 and 2008 our

community suffered two devastating catastrophic wildfires originating on National Forest Lands which collectively burned over 20,000 acres of forested lands, including some of our land grant common land and private lands within the land grant patented boundaries. These fires severely impacted our watershed and the quality of our drinking water. This unfortunate disaster opened the door for the Mountainair Ranger District to begin working closer with the land grant communities of Manzano, Torreón, Tajique and Chilili, the communities nestled against the Manzano Mountains and those most directly affected by wildfires. While the relationship with the Forest Service and the land grant communities of the Manzanos has become more positive in

recent years, this bill would ensure that our communities will be guaranteed access to our traditional use areas and traditional use resources far into the future regardless of administration changes at local ranger district, forest supervisor's office, regional office or in D.C. As well, this piece of legislation will ensure that our communities are always consulted when forest and land management decisions are made that could impact our traditional uses, our watersheds and our livelihood.

For all of the above stated reasons the Board of Trustees of La Merced del Manzano endorses the passage of H.R. 3682 and asks for your support in the passage of this historical bill.

Sincerely,

A handwritten signature in black ink that reads "Jason Quintana". The signature is fluid and cursive, with the first name "Jason" and last name "Quintana" clearly legible.

Jason Quintana

President

CC:

Congressman Ben Ray Luján, NM, 3rd Congressional District

Congresswoman Debra Haaland, NM, 1st Congressional District





## Merced De Comunidad De San Antonio De Las Huertas

Mailing Address • PO Box 625 • Placitas, New Mexico 87043 • 505.550.0373

• Physical Address • 41 B Camino de las Huertas • Placitas, New Mexico

---

April 6, 2020

Honorable Raúl Grijalva, Chair  
United States House of Representatives  
Committee on Natural Resources  
1324 Longworth House Office Building  
Washington, DC 20515

Dear Congressman Raúl Grijalva:

The San Antonio de Las Huertas Land Grant is writing this asking support for the passage of H.R. 3682, the Land Grant and Acequia Traditional Use Recognition and Consultation Act. This bill is important to protecting our centuries-old community and is critical to provide us access to both traditional use resources and a seat at the table regarding management of the Bureau of Land Management and U.S. Forest Service lands surrounding our community. The San Antonio de Las Huertas Land Grant was established in 1767 when New Mexico was subject to Spanish rule. From the time our community was settled up until the 1950's we enjoyed unlimited and unrestricted access to the lands that surround our community. As originally granted our land grant encompassed tens of thousands of acres, however as a result the United States land adjudication process that followed the signing of the Treaty of Guadalupe Hidalgo our land grant was diminished in size to approximately 5,000 acres. The lion's share of our former common lands is now managed by either the BLM on the north and east or by the USFS on the south. In fact, the historic site of our original settlement is located on the southern portion of BLM lands known as the Buffalo Tract. In addition, the USFS lands south of us contain many historic cabins that were used by our community as seasonal homes during the late spring, summer and early fall sheep grazing season. This practice continued uninterrupted for nearly 200 years, even after the establishment of the Cibola National Forest, until the 1950's when the US Forest Service cut off all of our grazing access. While the Cibola had initially granted continued grazing access through communal grazing permits, these permits were later revoked. It has been locally speculated that the permit revocations were the result of McCarthyism era policies aimed at destroying any communal uses of federal lands as they were deemed to be communist in nature. This action had devastating socio-economic impacts on our community which led to an out migration of families who, having been cut off from the land, now had to seek alternative ways of feeding their families.

In the late 1980's the U.S. Congress declared nearly all of our former common lands managed by U.S. Forest Service as a wilderness. This management designation, which our community was never consulted on, has severely impacted our community in several ways. First, it further restricted our ability to access the natural resources our families have depended on for generations. For example, fuelwood gathering for heating our homes is not allowed with use of mechanized equipment, making it virtually impossible in today's society where our families must work full-time jobs to sustain themselves. Second, since our communal grazing ability was stripped from us in the 1950's, the wilderness designation placed a ban on all future grazing use since no active grazing was in place at the time of designation. The absence of

grazing was not the result of disinterest by our community but rather from denial by the agency. Third, since neither grazing nor fuelwood gathering opportunities have been allowed for several decades the amount of fuel loads in the areas are at severely high levels. This overgrowth has impacted the health of our community drinking and irrigation system wells, which have seen a significant decline over the years. This is a direct result of less snow fall making it through the tree canopy to soak into the ground. With such dense tree stands much of the sparse snow fall we receive gets stuck in the trees and is lost to evaporation. Furthermore, the excess buildup of fuels now threatens to destroy our community as the risk of catastrophic wildfire increases year by year. Since our backyard is a wilderness the Cibola National Forest is very limited in its ability to actively manage for the reduction of fuel load and has thus effectively ignore the area.

Our hope is that when passed H.R. 3682 will provide our land grant the opportunity to regain access and meaningful use of the portions of our former common lands, managed by the BLM and USFS, that are still accessible. We also believe that H.R. 3682 will require agencies to not only consult with us when making management decisions that could impact our traditional uses, but also to actively manage for those uses as part of the spectrum of the multiple use missions of both the BLM and USFS. Had such protections been in place in the 1950's or in the 1980's our community would not have been so marginalized by federal agency decisions and we would not constantly be battling against the destruction of our culture, way of life and overall existence. Therefore, we strongly support the passage of H.R. 3682 and we ask for the support of the Committee on Natural Resources in securing passage at both the Committee level and on the House Floor.

Sincerely,



Rebecca Correa Skartwed

President

San Antonio de las Huertas Land Grant

PO Box 625

Placitas, NM 87043

(505) 550-0373

CC: Congressman Ben Ray Luján, NM, 3rd Congressional District  
Congresswoman Debra Haaland, NM, 1<sup>st</sup> Congressional District



April 24, 2020

United States House of Representatives  
Committee on Natural Resources  
1324 Longworth House Office Building  
Washington, DC 20515

Subject: Encouraging the passage of **H.R.3682, Land Grant and Acequia Traditional Use Recognition and Consultation Act**

Dear Chairman Raúl Grijalva and Representative Rob Bishop, Ranking Member  
House Committee on Natural Resources:

The San Antonio del Río Colorado Land Grant is writing this letter in support of the passage of **H.R. 3682**, the *Land Grant and Acequia Traditional Use Recognition and Consultation Act*, introduced by New Mexico Congressman Ben R. Luján. Our communities are surrounded by U.S. Forest Service and Bureau of Land Management managed lands, including the Rio Grande del Norte National Monument. We are dependent on access to these lands for resources that sustain our community, from firewood and piñón (pine nuts) to the headwaters of our acequias (community ditches). This legislation will help the heirs of the San Antonio del Río Colorado Grant ensure that we have access to our ancestral lands, which also include the neighboring Cañón del Río Colorado Land Grant as well.

The heirs of our land grants lost access to the lands that surround us because ill-informed interpretations of Mexican law led to the rejection of the San Antonio del Río Colorado and the Cañón de Río Colorado Land Grants. Our ancestors began occupying the area as early as 1815 when Spanish officials placed fifty families in possession of land near a newly established Spanish military outpost meant to deter French and American fur trappers. They formally petitioned for these lands to sustain their families in 1842. By the time New Mexico was acquired by the United States and the Treaty of Guadalupe was signed in 1848, the Town of San Antonio del Río Colorado was a substantial community with some 300 families. In 1872, the residents of the San Antonio del Río Colorado filed their petition with the Surveyor General's office, seeking the recognition of the San Antonio del Río Colorado grant. Two years later, Surveyor General James K. Proudfit recommended to Congress confirmation of the grant. He noted that the community grant was made in accordance with the customs and usages of the time and was indeed valid. He ordered a preliminary survey of the grant which found the grant to be 18,955.22 acres. Congress failed to act on the grant and in 1885, Surveyor General George Julian reexamined the claim and recommended confirmation, noting that the applicants had "equitable title." Congress again failed to act on the Surveyor General's recommendation and the San Antonio del Río Colorado Grant was forced to submit our claim to the Court of Private Land

Claims. In 1892, our ancestors submitted their title papers and argued that the United States was bound to protect their property as legal or equitable title under the Treaty of Guadalupe Hidalgo.

Our ancestors pointed to the long possession and honest improvement that they made to their lands as proof of their rights to title to their lands. In March of 1893, the Court of Private Land Claims rejected our claim on the grounds that the prefect had no authority to grant us our land. This ignored the recommendations of *two* Surveyors General that recommended that our grant be confirmed. The neighboring Cañón del Río Colorado Grant, which was also founded by our ancestors, met a similar outcome working its way through the American adjudication process. Founded in 1836, the Cañón grant was presented to Surveyor General T. Rush Spencer who took no action. Two years later, his successor, Surveyor General James K. Proudfit recommended that the grant be confirmed to the original grantees and their legal representatives according to the boundaries set forth in the decree of June 23, 1836. A preliminary survey was made and showed the claim to contain 42,936.21 acres of land. Congress, again, failed to take action and Surveyor General George Julian reexamined this claim in 1886, questioned the authority of the ayuntamiento of Taos to make the grant, and recommended that the grant be rejected.

The denial of the Cañón del Río Colorado Grant made the community vulnerable to speculation and by the time that the grant was submitted to the Court of Private Land Claims in 1893, Clarence P. Elder, a man active in acquiring grants in the region, had gained full title to the grant. His claim to the grant was eventually rejected by the CPLC and the United States Supreme Court and our land grant community lost tens of thousands of acres of land that sustained our communities. These lands became the public domain and our community of Questa is now surrounded by U.S. Forest system lands.

**H.R. 3682** will ensure that the Carson National Forest remains responsive to the needs of our community and will provide guaranteed access to needed resources such as fuel wood. Additionally, our acequias are fed from Cabresto Lake, which lies fully in Carson National Forest lands, and we are constantly at risk of losing access to repair our headgates and acequia infrastructure. Not only will it help protect our access to natural resources, such as the water and fuelwood, that our community relies on, but it will also ensure that the Forest Service consults with us regarding management of the federal lands surrounding our community that were once our common lands. The consultation aspects of this bill will go a long way to encourage positive relationships between federal agencies and land grants-mercedes.

The San Antonio del Río Colorado Land Grant gives our full support to this bill and ask that you do everything in your power to ensure that it is passed.

Sincerely,

A handwritten signature in black ink that reads "Cynthia Rael Vigil". The script is cursive and fluid, with the first name "Cynthia" being the most prominent part of the signature.

Cynthia Rael Vigil  
San Antonio del Rio Colorado Land Grant  
PO Box 612  
Questa, NM 87556  
575-779-9249





#### **Board of Trustees**

**Leonard T. Martinez**

President

**Thelma Lovato-Chavez**

Vice-President-Treasurer

**Gerald Chacon**

Secretary Land & Water

**Sharon L. Hays**

Secretary

**Michael Vigil**

Sergeant at Arms

April 6, 2020

United States House of Representatives  
Committee on Natural Resources  
1324 Longworth House Office Building  
Washington, DC 20515

**Subject: Encouraging the passage of H.R.3682, Land Grant and Acequia Traditional Use Recognition and Consultation Act**

Dear Chairman Raúl Grijalva and Representative Rob Bishop, Ranking Member House Committee on Natural Resources:

We hope that this letter finds you both in good health during this national emergency. Today, I write on behalf of the Merced Del Pueblo de San Joaquín del Río de Chama to support of the passage of **H.R. 3682, the Land Grant and Acequia Traditional Use Recognition and Consultation Act**, introduced by Rep. Ben Ray Lujan of New Mexico. This legislation will ensure that our communities can access surrounding public lands that were once the common lands of our land grant-merced. Our communities rely on access to these forested lands to sustain ourselves. We heat our homes with fuelwood harvested from the Jemez Mountains. We harvest traditional items like medicinal herbs for *remedios* (remedies) we use to heal our ailments and piñón nuts that provide sustenance. The San Joaquín Grant lost these lands when the United States land adjudication process, following the Mexican American War in 1848, removed the common land, *more than 99% of our land base*, from local communal ownership and placed it under management of U.S. General Land Office. Decades of social and economic hardship have plagued our communities because of the incomplete recognition of our property rights, dooming our people to poverty and dependency.

The San Joaquín del Río de Chama Land Grant was granted to our ancestors in August of 1806 by Spanish officials and by 1860, more than 800 residents lived in distinct communities within the exterior boundaries. The narrow strips of land lying within the river valleys were cultivated, our livestock were pastured in both lowlands and in the forest and natural resources were gathered from the surrounding communal lands. Our ancestors filed a petition seeking the confirmation of the grant in 1861 and in 1872, the Surveyor General of New Mexico recommended to Congress confirmation of the 472,737 acre grant as a *community grant*, and though the House Committee on Private Land Claims and the General Land Office recommended confirmation, Congress failed to act. In September of 1894, the Court of Private

Post Office Box 262  
Gallina, New Mexico 87107

Land Claims held that the grant was valid but limited to the individual farm tracts in the Cañón del Río de Chama. Land speculator Thomas D. Burns and the Rio Arriba Land and Cattle Company claimed interest in the land grant and acted as plaintiffs, appealing the decision to the U.S. Supreme Court, which in 1897 upheld the Court of Private Land Claims decision that the unallotted lands within its exterior boundaries of the grant belonged to the government (*see U.S. v. Rio Arriba Land and Cattle Company (1897), U.S. v. Sandoval (1897)*). A resurvey of the grant reduced it to 1,422 acres along the Rio Chama and excluded all of the other outlying villages. To add further injury to the land grant community, the patent issued in 1905, was issued to the Rio Arriba Land and Cattle Company, not our ancestors, and the Company set about removing all of the families residing on 1,422 patented acres of the San Joaquín del Río de Chama Grant. The remaining balance of more than 470,000 acres became part of the public domain, the majority of which is now managed by the U.S. Forest Service, but that also includes lands managed by the BLM and the State of New Mexico.

**H.R. 3682** will ensure that the Carson and Santa Fe National Forests and the Bureaus of Land Management Farmington District Office remain responsive to the needs of our communities. The creation of the Chama River Canyon Wilderness Area in 1978 included a historic cemetery which we only gained access to in 2013. Restricting our access to the cemetery is unfortunately only symptomatic of the difficulties that our communities have faced for decades when dealing with the U.S. Forest Service and the BLM when attempting to access our former common lands for traditional resources, including fuelwood, building materials like *vigas* (beams) and *latillas* (small poles used as lath between *vigas*) and medicinal herbs that are both medically and culturally important. This bill will help us access natural resources that our community relies on and will also ensure that the Forest Service consults with us regarding the management of the federal lands that surround us, which is important in building positive and collaborative relationships between federal agencies and land grants-mercedes like ours.

The *Merced Del Pueblo de San Joaquin del Rio de Chama* gives our full support to this bill and we ask that you work to ensure that it is passed.

Respectfully,



Leonard T. Martínez, President  
Merced del Pueblo de San Joaquin del Río de Chama  
P.O. Box 261  
Gallina, NM 87017  
(505) 307-2165

CC:

Representative Ben Ray Luján, New Mexico, 3<sup>rd</sup> District  
Representative Deb Haaland, New Mexico, 1<sup>st</sup> District





# San Miguel del Bado Land Grant

Post Office Box 534  
Ribera, New Mexico 87560  
Phone: 575-421-1110  
Mobile: 505-470-1102

## Board of Trustees:

*Joe Benito Chavez, President*  
*Frank Madrid, Vice President*  
*Ben A. Flores, Treasurer*  
*Joaquin Garcia, Secretary*

April 3, 2020

Congressman Raúl Grijalva  
Chair  
United States House of Representatives  
Committee on Natural Resources

Congressman Rob Bishop  
Ranking Member  
United States House of Representatives  
Committee on Natural Resource

Dear Mr. Chairman and Representative Bishop, Ranking Member,  
House Committee on Natural Resources:

The San Miguel del Bado Land Grant is writing this letter in support of the passage of **H.R. 3682, the Land Grant and Acequia Traditional Use Recognition and Consultation Act**, introduced by Representative Ben Ray Luján of New Mexico. This legislation is extremely important for our communities. It offers our people access to uses that they have relied on for centuries since Spanish Governor Fernando Chacón granted fifty-two of our ancestors the San Miguel del Bado Grant in 1794. In the decades after the granting of our grant, our communities grew from San Miguel del Bado to additional settlements, including San José, San Juan, South and North San Isidro, Ribera, El Pueblo, Sena, Villanueva and El Cerrito. By 1853, officials estimated that 1,000 families lived on the grant and four years later, our ancestors filed a petition to the office of the Surveyor General, seeking recognition of our claim. In 1879, after more two decades of inaction, Surveyor General Henry M. Atkinson (a noted land speculator) reported to Congress recommending confirmation, but stipulated that the grant be confirmed only to the heirs of the Lorenzo Márquez, only one of many individuals that first settled the grant. This would make it possible for a speculator to pursue only Lorenzo Márquez's interest in the grant, file a quiet title suit against the "unnamed heirs" of the fifty-one other settlers, and file for confirmation of their undivided interest in the grant. A survey completed that same year revealed that the grant encompassed 315,300.8 acres of land surrounding the Pecos River.

When our Grant went before the Court of Private Land Claims in 1894, the Court confirmed that the San Miguel del Bado Grant was, indeed, a legitimate community grant and confirmed the entire 315,300.8 acre grant to the heirs of all settlers named in a 1803 document that detailed the allotment of individual tracts to the settlers. U.S. Attorney Matthew G. Reynolds appealed the decision to the U.S. Supreme Court on behalf of the United States government, claiming that the grant should be restricted to the individual agricultural allotments along the Pecos River, a mere 5,000 acres. In an argument contrary to centuries of Spanish and Mexican law and decades of Surveyor General and Court of Private Land Claims decisions, he claimed the remaining balance (~300,000 acres) was

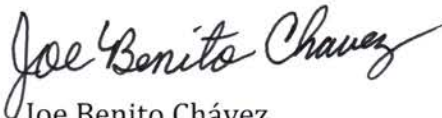
unoccupied and continued to be the property of the Crown, whose ownership passed with sovereignty first to Mexico and then to the United States. The U.S. Supreme Court agreed with Reynolds in the precedence setting 1897 *U.S. v. Sandoval* decision, where they ruled that the common lands of the San Miguel del Bado Grant were never vested in the land grant. In 1900, a survey identified ten tracts of land of approximately 3,539.71 acres as the sum of the land grant lands, with 5,000 residents. A 1903 survey increased the acreage to 5,147.73 acres and in January of 1910, the General Land Office issued a patent for that acreage to the San Miguel del Bado Board of Commissioners.

While some San Miguel del Bado heirs received homesteads, the bulk of our former common lands were considered part of the public domain. In 1909, 97,917 acres (an estimated 33.66%) of these forested common lands became part of the Pecos River National Forest, (later renamed the Pecos National Forest and now a part of the Santa Fe National Forest), depriving our communities of access to timber, fuelwood, flora and fauna that provided sustenance, not to mention medicinal herbs that . Other federal lands are checkerboarded throughout the grant. 8,863 acres are now under the management of the Bureau of Land Management, including historic cemeteries.

**H.R. 3682** will ensure that federal agencies like the U.S. Forest Service and the Bureau of Land Management are responsive to the needs of our communities. The San Miguel del Bado Grant has participated in the creation of a new Santa Fe National Forest Management Plan and has worked with the Bureau of Land Management for the return of historic cemeteries on BLM lands. Our communities have faced difficulties for decades when dealing with the U.S. Forest Service and the BLM in attempting to access our former common lands for traditional resources, including fuelwood and medicinal herbs that are culturally important. This bill will help us access natural resources that our community relies on and will also ensure that the Forest Service consults with us regarding the management of the federal lands that surround our communities. The consultation aspects of this bill will go a long way to encourage positive relationships between federal agencies and land grants-mercedes.

The San Miguel del Bado Land Grant offers our full support to this bill and asks for your support in securing its passage through the House Natural Resources Committee.

Sincerely,



Joe Benito Chávez  
President, San Miguel del Bado Land Grant  
PO Box 534  
Ribera, NM 87560  
(505) 470-1102

CC: Congressman Ben Ray Luján, New Mexico, 3<sup>rd</sup> District  
Congresswoman Debra Haaland, New Mexico, 1<sup>st</sup> District





**Merced de Santa Barbara Land Grant**

P.O. Box 564  
Penasco, NM 87553  
575 779-1723

**Board of Trustees**

Bonifacio I Vasquez, President  
Vincent Abeyta, Vice President  
Lorrie Garcia, Secretary  
Manuel Trujillo, Treasurer

---

April 1, 2020

Congressman Raúl Grijalva, Chair  
Congressman Rob Bishop, Ranking Member

United States House of Representatives  
Committee on Natural Resources  
1324 Longworth House Office Building  
Washington, DC 20515

**Re: Support for H.R.3682, Land Grant and Acequia Traditional Use Recognition and Consultation Act**

Dear Mr. Chairman and Representative Bishop, Ranking Member,  
House Committee on Natural Resources:

The Merced de Santa Bárbara is writing this letter in support of the passage of **H.R. 3682, the Land Grant and Acequia Traditional Use Recognition and Consultation Act**, introduced by Rep. Ben Ray Luján (NM-03). This important piece of legislation will ensure that our communities will retain access to the public lands that surround them, lands that were once the common lands belonging to our land grant. These common lands were unjustly taken by land speculators before the federal government purchased them and incorporated them into the national forest. The Santa Bárbara Land Grant was established by a grant of land from the Spanish Crown in 1796. In 1894 the U.S. Congress confirmed the Santa Bárbara land grant for 30,638.28 acres. Unfortunately however as a result of corruption driven by land speculation the land grant was not confirmed as belonging to the community in common, as originally granted by Spain, but rather as a "tenancy in common." This resulted in the privatizing of the common land and making our grant vulnerable to partition suits where any co-owner could initiate a suit to separate their private interest in common lands. Our own attorney, Napoleon Bonaparte Laughlin, who became owner of an *undivided 1/3 interest* in the common lands grant in exchange for representing the land grant through the United States adjudication process, filed a partition suit in 1897, merely three years after confirmation. He was the high bidder when the common lands sold at public auction for \$6,000.00, netting him 25,338.28 acres and leaving the heirs a mere 5,300 acres that included only

their private tracts. Laughlin nearly lost title of the Santa Bárbara Grant to tax seizures before A.B. McGaffey bought it in 1907 and formed the Santa Barbara Pole and Tie Company and for nearly twenty years, pulled some 400,000 ties from the Santa Bárbara Grant and surrounding area year after year. The massive environmental impact that this timber operation had on our common land provided only a small economic benefit to our ancestors. By 1925, the U.S. Forest Service set about acquiring the Santa Bárbara Land Grant from the Santa Barbara Pole and Tie Company through a timber exchange and by 1929, our grant was incorporated into the Carson National Forest. Consequently, the communities of the Santa Bárbara Land Grant lost access to the common lands that sustained us, and we became land locked by forested lands that were our birthright but that we could no longer access.

Today the communities of Llano Largo, Llano de la Yegua, Rodarte (originally Santa Bárbara) and Peñasco all still rely on these former common lands for sustaining their livelihoods. **H.R. 3682** will ensure that the Carson National Forest remains responsive to the needs of our communities that rely on access to fuelwood to heat our homes and cook our meals and to medicinal herbs to sustain our health and our way of life. Not only will it help protect our access to these natural resources, but also to the communities primary water source, used for community drinking water system and irrigation. This measure would ensure that the Forest Service consults with us with regard to management of the federal lands surrounding our community that comprise our watershed. The Santa Bárbara Land Grant supports this legislation and asks that you do everything in your power to ensure its passage.

Sincerely,



Bonifacio Vásquez  
President

Merced de Santa Bárbara  
P.O. Box 564  
Peñasco, NM 87557  
(505) 927-1264

CC:

Congressman Ben R. Luján, New Mexico, 3rd District  
Congresswoman Deb Haaland, New Mexico, 1st District





Merced de Santo Tomás Apóstol del río de las Trampas  
P.O. Box 142  
Chamisal, New Mexico 87521

Board of Trustees:  
Alex Lopez, President  
Jose Arnaldo Lopez, Vice-President  
Samuel Lopez, Treasurer  
Ernestine Lopez, Secretary  
Ruben Aguilar, Trustee

April 3, 2020

Congressman Raúl Grijalva, Chair  
United States House of Representatives  
Committee on Natural Resources

Congressman Rob Bishop, Ranking Member  
United States House of Representatives  
Committee on Natural Resources

**Re: Support for H.R.3682, Land Grant and Acequia Traditional Use Recognition and Consultation Act**

Dear Mr. Chairman and Representative Bishop, Ranking Member,  
House Committee on Natural Resources:

The Santo Tomás Apostol del Río de las Trampas Land Grant is writing this letter in support of the passage of **H.R. 3682, the Land Grant and Acequia Traditional Use Recognition and Consultation Act**, introduced by our Congressman, Ben Ray Luján of New Mexico's 3<sup>rd</sup> Congressional District. We feel that this is an important piece of legislation that will protect our communities access to the U.S. Forest Service lands that surround us. Since 1751, when Spain granted our ancestors the Santo Tomás Apostol del Rio de Las Trampas Land Grant, our communities have depended on the mountains that surround us for resources, especially firewood that we use to heat our homes. Our communities of Las Trampas, El Valle, Ojito, Ojo Sarco, Llano de San Juan Nepomuceno, Chamisal, Cañada de los Alamos and Diamante are *surrounded completely* by U.S. Forest Service lands, like boats adrift in a sea of pine trees.

Our communities lost ownership and access to these lands, originally some 28,131 acres, when our land grant was made vulnerable to land speculators by the incorrect nature of the recognition of our land rights under the U.S. land adjudication process. When our land grant was confirmed, the federal government erred in considering our grant a "tenancy in common," a property status that did not exist under Spain or Mexico, rather than correctly recognizing our communal land as commonly owned. The tenancy in common status considered the commons as owned by a group of individuals that held an equal divisible *interest* in the land. This exposed our ancestors to a land partition suit, which was filed in 1900. By 1903, the Las Trampas Land Grant sold at a public auction to an outside land speculator for \$17,012 and, after back taxes and attorney fees were paid to attorneys who acted against our communities' interest, our ancestors received a measly \$25 for their communal patrimony. Bond sold the grant to the Las Trampas Lumber Company, which, in 1907, sued to quiet title. Our families fought to secure title to nearly 7,000 acres of private tracts and use rights to the common lands. When the Las Trampas Lumber Company declared bankruptcy in 1926, the George E. Breece Lumber Company bought the grant for \$62,320 and immediately sold it to the U.S. Forest Service for \$75,000 worth of standing timber in the Zuni Mountains near Grants, New Mexico. When the Forest Service bought our grant, they ignored the user agreements that our ancestors negotiated with the Las Trampas Lumber Company that allowed access to the common lands for grazing, fuelwood, and unmerchantable timber for



fenceposts, *vigas* (rafters) and *latillas* (small poles used as lath between *vigas*). The communities of the Santo Tomás Apostol del Río de las Trampas Land Grant were thus divided by a forest reserve built from our former common land and have had a tumultuous relationship with the U.S. Forest Service, which enlarged its lands at the expense of our community and then ignored hard-fought agreements with previous owners.

**H.R. 3682** will ensure that the Carson National Forest remains responsive to the needs of our community. Access to these lands is very important to us. The forest is the watershed for our *acequias*, irrigation ditches dug by ancestors two and a half centuries ago, which water our crops and pasture lands. This lack of access to the forest that surround our communities also threatens our homes and property as the fuel load in parts of this area is too high, creating the perfect conditions for a catastrophic wildfire. Not only will it help protect our access to natural resources, but it will also ensure that the Forest Service consults with us with regard to management of the federal lands that are across the fence from us. This is important since things like catastrophic wildfires and bug infestations do not respect boundary lines drawn on a map or separated by a barb wire fence. The consultation aspects of this bill will go a long way to encourage positive relationships between federal agencies and land grants-mercedes. Furthermore, this legislation will ensure that our community continues to have access to surrounding lands for future expansion of our community cemetery. Since our community has existed for 269 years our original cemetery located in the village plaza reached capacity in the middle of the 20<sup>th</sup> century. We were able to get a permit for a community cemetery on U.S. Forest Service lands but after decades of use this too will reach capacity in the coming decades. Unfortunately, the U.S. Forest Service has expressed their disinterest in expanding the existing cemetery or permitting a new one. H.R. 3682 will provide our community more leverage to ensure that the agency is response to this basic public health and spiritual/cultural need of burying our deceased loved ones.

The Santo Tomás Apostol del Río de las Trampas Land Grant gives our full support to this bill and ask that you do everything in your power to ensure that it is passed.

Respectfully sent,

On behalf of the Santo Tomás Apostol del Río de las Trampas Land Grant



Alex López

President

P.O. Box 142

Chamisal, New Mexico 87521

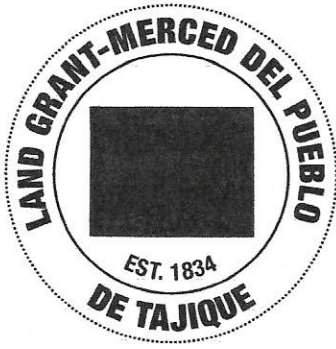
(505) 689-2408

CC:

Congressman Ben Ray Luján, New Mexico, 3rd District

Congresswoman Deb Haaland, New Mexico, 1st District





**Board of Trustee**  
**Andrew F. Gutierrez**  
President  
**Felix Barela**  
Vice President  
**Adam Baca**  
Secretary  
**Vacant**  
Treasurer  
**Jerry Montoya**  
Mayordomo

April 1, 2020

Congressman Raúl Grijalva  
Chair  
United States House of Representatives  
Committee on Natural Resources  
1511 Longworth House Office Building  
Washington, DC 20515

Congressman Rob Bishop  
Ranking Member  
United States House of Representatives  
Committee on Natural Resources  
123 Cannon House Office Building  
Washington, DC 20515

Re: Support for H.R.3682, Land Grant and Acequia Traditional Use Recognition and Consultation Act

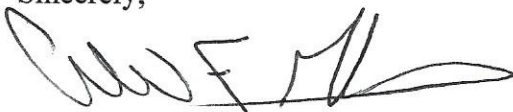
Dear Mr. Chairman and Representative Bishop, Ranking Member,  
House Committee on Natural Resources:

The Town of Tajique Land Grant is writing this letter in support of the passage of H.R. 3682, the Land Grant and Acequia Traditional Use Recognition and Consultation Act, introduced by Congressman Ben R. Lujan (NM-03). This important piece of legislation will ensure that our community not only has continuous meaningful access to important natural resources located on the Cibola National Forest now and far into the future, but it will also guaranteed that our community has a seat at the table when the U.S. Forest Service is making management decisions that could adversely impact our community or the natural resources we depend on. Natural resources such as fuelwood play an integral role in the socio-economic health of our community. Since the establishment of our community in 1834 the people of Tajique have been dependent on the watershed and resources found in the Manzano Mountains. The community's continued use of the

surrounding forest predates the establishment of the U.S. Forest Service and U.S. sovereignty in the Southwest. Some of the lands now managed by the Cibola National Forest in the Mountainair Ranger District are within the Tajique Land Grant's traditional use area.

Like other land grant-merced communities in the Manzano Mountains, our fates have been tied to access to fuelwood, building materials, food and medicinal herbs within the traditional use area surrounding the community of Tajique. To this day, many households in Tajique rely on hauling fuelwood for a heating source and to provide income to their households. Forest fires in 2008 and 2016 burned dozens of homes and hundreds of acres in the vicinity of Tajique and showed us once again how we need to be involved in managing the forests and watersheds that surround our community. H.R. 3682 will aid our relationship with the Cibola National Forest and allow us to partner with the U.S. Forest Service to manage the forest that abuts and sustains our community. Since our community is located just outside the boundaries of Cibola National Forest, forest fires impact our community more directly than other nonresident forest users and therefore our needs should be respected and prioritized when forest management decisions are being developed. The consultation aspects of this bill will go a long way to encourage federal agencies to establish positive working relationships with land grants-mercedes communities like Tajique, thus ensuring that our needs are reflected in management activities. By no means are we requesting exclusive use of the area, but we believe that our longstanding use of and ties to the land warrant an elevated consultation status similar to tribal communities, both of which predate the creation of forest reserves. The Town of Tajique Land Grant gives our full support to this bill and ask that you do everything in your power to ensure that it is passed.

Sincerely,



Andrew Gutierrez  
President  
Town of Tajique Land Grant  
8636 Highway 55  
Estancia, NM 87016  
505-312-3025

CC:Congressman Ben R. Luján, New Mexico, 3rd District  
Congresswoman Debra Haaland New Mexico, 1<sup>st</sup> District



La Merced de Los Pueblos  
de  
Tierra Amarilla

P.O.Box 484, Tierra Amarilla, NM

87575

Board of Trustees

Steve Polaco, President  
Carlos Chacón, Vice-President  
Melvyn Apodaca, Treasurer  
Lisa G Martinez, Secretary  
Belarmino Archuleta - Sargent  
at Arms

Congressman Raúl Grijalva  
Chair  
United States House of Representatives  
Committee on Natural Resources

Congressman Rob Bishop  
Ranking Member  
United States House of Representatives  
Committee on Natural Resources

April 8, 2020

Dear Mr. Chairman Grijalva and Congressman Bishop:

The Merced del Los Pueblos de Tierra Amarilla (aka Tierra Amarilla Land Grant) writes this letter to support the passage of **H.R. 3682 - Land Grant and Acequia Traditional Use Recognition and Consultation Act**, introduced by Congressman Ben Ray Luján. This bill is important to all land grant communities in New Mexico as it will provide recognition of our traditional uses on our former common lands now managed by federal agencies. In addition the bill will require that federal agencies consult with our communities on any federal lands within our historic-traditional use boundaries.

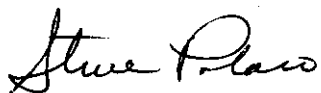
**H.R. 3682** offers our land grant an opportunity to access traditional uses on eligible former common lands now managed by the federal government. This is critically important to our community since there are very limited areas where we have an opportunity harvest natural resources like fuelwood and to graze livestock. The Tierra Amarilla Land Grant was established in 1832 under Mexico to establish a permanent settlement in the northern reaches of New Mexico. Language in the granting documentation made it clear that all of the pastures, watering places, roads and forests were to remain common property for the collective use to the entire community. Our land grant was patented during the United States land adjudication process required by the Treaty of Guadalupe Hidalgo. Congress recognized our grant in 1860 and acknowledged that it encompassed approximately 595,000 acres of land. The vastness of the grant ensured that settlements established within the land grant would have sufficient common lands from which to graze livestock and pull the natural resources necessary to sustain the communities. In total there were seven original distinct communities established within the land grant boundaries. Unfortunately, Congress failed to recognize our land grant as belonging to the entire community and in error issued the patent to one individual at the behest of the attorney representing the claim. Not surprisingly that very attorney ended up in sole ownership of all of our common lands within just a few short years of the patent being issued. Over time this flaw in the adjudication of our land grant resulted in our seven historic communities slowly losing access to the natural resources that surround us.

Today the vast majority of our former common lands within our patented boundaries is now in private hands. Since our land grant preceded the establishment of both New Mexico and Colorado as territories and later states of the United States, our patented boundaries straddle the state line that divides the two states. The lion's share of the land grant falls within New Mexico with approximately 90,000 acres laying in Colorado. Nearly all of the 90,000 acres in Colorado are currently federal lands managed by the Rio Grande National Forest. In New Mexico our land grant's eastern and southern boundaries are adjacent federal lands managed by the Carson National Forest.

H.R. 3682 will provide our communities guaranteed access to natural resources within our patented boundaries now managed by the U.S. Forest Service as well as consultation for federal lands adjacent to us. Both are critical to our community since the majority of our community members still rely on fuelwood to heat their homes. Being in the northern portion of New Mexico, our communities have the longest winter season with the coldest temperatures throughout the year. Fuelwood is therefore a much-needed resource that is not always readily accessible to our community. In fact, many folks often have to travel an excess of 60 miles, *one way*, in order to access areas for fuel wood harvesting. H.R. 3682 will provide our board of trustees leverage to negotiate more fuel wood collection opportunities on federal lands more immediately adjacent to us.

Therefore, the Merced de Los Pueblos de Tierra Amarilla is full support of H.R. 3682 and we ask that you do everything in your power to ensure that this bill is heard and passed by the House Committee on Natural Resources. Any support that you can provide for these efforts will be greatly appreciated and will help in address an over-a-century-old issue for our community.

Gracias,



Steve J. Polaco  
President  
(505) 934-7992

Cc: Congressman Ben Ray Luján, NM-3<sup>rd</sup> Congressional District  
Congresswoman Debra Haaland, NM-1<sup>st</sup> Congressional District





April 2, 2020

United States House of Representatives  
Committee on Natural Resources  
1324 Longworth House Office Building  
Washington, DC 20515

Dear Chairman Raúl Grijalva and Ranking Member, Representative Bishop:

The Town of Tomé Land Grant is writing this letter in support of the passage of **H.R. 3682**, the **Land Grant and Acequia Traditional Use Recognition and Consultation Act** introduced by Rep. Ben Ray Luján (NM-03). This bill is critical in protecting the rights of Spanish and Mexican Land Grant-Merced communities to access natural resources on adjacent federal lands. In addition, the bill also provides the necessary framework for ensuring that these centuries old communities have a seat at the table when federal agencies are making land management decisions that could impact them. Land grants-mercedes from across New Mexico have suffered decades of social and economic hardship because of the incomplete recognition of our property rights to federal lands that once belonged to our communities.

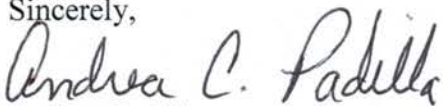
The Town of Tomé Land Grant was granted to our ancestors in 1739 and our community had enjoyed over a century of prosperity when it came time to file their claim with U.S. Surveyor General 1856. The survey completed by the U.S. Surveyor General office found the grant to have 121,594.23 acres, but deprived the grant of its timbered lands on the west face of the Manzano Mountains when it considered the foot, not the ridge, of the mountain to be the Town of Tomé Grant's eastern boundary. The New Mexico Supreme Court and U.S. Supreme Court both questioned the nature of the grant as community grant before ultimately upholding the rights of the Town of Tomé Grant to unallotted communal lands. Our grant lost the bulk of its land when outside interests induced the grant to convert from a community grant to a for-profit shareholding corporation, an action allowed by a 1967 New Mexico state law. The historical and traditional use boundaries of our grant, nonetheless, include more than 26,000 acres that are today managed by the U.S. Forest Service.

**H.R. 3682** will ensure that the Cibola National Forest consults with our land grant-merced when developing policy and management decision affecting federal lands to which we still retain historical and cultural connections. It will also strengthen our ability to partner with the U.S.

Forest Service to ensure that our community can meaningfully access and utilize our former common lands now managed by the agency.

The Town of Tomé Land Grant Board of Trustees is in full support of this historic piece of legislation and asked for your continued help in getting this bill enacted into law.

Sincerely,

A handwritten signature in black ink that reads "Andrea C. Padilla". The signature is written in a cursive style with a large, stylized 'A' and 'P'.

Andrea Padilla

President

Town of Tomé Land Grant

P.O. Box 304

Tomé, New Mexico 87060

(505) 514-1797

CC:

Congressman Ben Ray Luján, New Mexico, 3rd District

Congresswoman Deb Haaland, New Mexico, 1st District